

MDS-009CN (6219/15)

The "Received" stamp of the Patent Office imprinted hereon acknowledges the filing of the following documents by Certificate of First Class Mailing (1 pg.); Transmittal Form (1 pg.); Information Disclosure Statement (2 pgs.); PTO Form 1449 (5 pgs.); one copy of each cited reference, A1-A64, B1-B7 and C1-C14; and this return receipt postcard, all mailed first class postage prepaid on August 31, 2001.

Applicants:

Modell et al.

Serial No.:

09/841,325

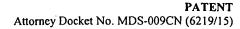
Atty:

JBMilstein/sms

Date:

August 31, 2001

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):

Modell et al.

SERIAL NO.:

09/841,325

GROUP NO.:

3737

FILING DATE:

April 24, 2001

EXAMINER:

Not Yet Assigned

TITLE:

Spectral Volume Microprobe Arrays

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 31st day of August, 2001.

House States

Sharon Shaw

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Submitted herewith is/are:

- 1. Transmittal Form (1 page);
- 2. Information Disclosure Statement (2 pages);
- 3. PTO Form 1449 (5 pages); and one copy of each cited reference A1-A64, B1-B7 and C1-C14;
- 4. Return-receipt postcard.



| Application Serial Number | 09/841,325 | |
|-----------------------------|------------------|--|
| Filing Date | April 24, 2001 | |
| First Named Inventor | Modell et al. | |
| Group Art Unit | 3737 | |
| Examiner Name | Not Yet Assigned | |
| Attorney Docket No. | MDS-009CN | |
| BATCH NO. (after allowance) | Not applicable | |
| Patent No. | Not applicable | |
| Issue Date | Not applicable | |

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| | FORM | Attorney D | ocket No. | MDS-0 | 009CN |
| ŀ | | BATCH NO | D. (after allowance) | Not app | plicable |
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| r | | ENCLOSURES (| check all that apply) | | |
| F | Fee Transmittal Form | Copy of Notic | te to File Corrected apers (PTO-1553) | | Notice of Appeal to Board of Patent Appeals and Interferences |
| | ☐ Check Attached ☐ Copy of Fee Transmittal Form | ☐ Formal Drawi | ng(s) | | Appeal Brief (in triplicate) |
| | Amendment/Response | Request For C | | | Status Inquiry |
| | Preliminary After Final | Transmittal | | \boxtimes | Return Receipt Postcard |
| | ☐ Affidavits/declaration(s) ☐ Letter to Official ☐ Draftsperson | Power of Atto (Revocation o | f Prior Powers) | | Certificate of First Class Mailing under 37 C.F.R. 1.8 |
| | including Drawings [Total Sheets] | Terminal Disc | claimer | _ | Certificate of Facsimile Transmission under 37 C.F.R. 1.8 |
| | Petition for Extension of Time | | laration and Power or Utility or Design ation | | Additional Enclosure(s) (please identify below) |
| × | Statement (2 pages) Form PTO-1449 | Small Entity S | Statement | | |
| | (5 pages) Copies of IDS Citations | CD(s) for larg | e table or computer | | |
| | Certified Copy of Priority Document(s) | ☐ Amendment A | After Allowance | | |
| | _ | Request for C Correction Certificate duplicate) | ertificate of e of Correction (in | | |
| C | ORRESPONDENCE ADDRESS | | SIGNATURE BLO | | |
| D | Testa, Hu High Stre 125 High Boston, N Tel. No.: | | Date: August 31, 200 Reg. No. 42,897 Tel. No.: (617) 248-7 Fax No.: (617) 248-7 |)1 7695 7100 | Respectfully submitted, Joseph B. Milstein Atty/Agent for Applicant(s) Testa, Hurwitz & Thibeault, 11P High Street Tower |

High Street Tower 125 High Street Boston, MA 02110



PATENT Attorney Docket No. MDS-009CN (6219/15)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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April 24, 2001

EXAMINER:

Not Yet Assigned

TITLE:

Spectral Volume Microprobe Arrays

Assistant Commissioner for Patents Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. Copies of the patents and publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

| (1) | within three (3) months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the first Office action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. 1.114; or |
|-----|--|
| (2) | after the period defined in (1) but before the mailing date of a final action or a notice of allowance under 37 C.F.R. 1.311, and |
| | the requisite Statement is below, OR |
| | the requisite fee under 37 C.F.R. 1.17(p), namely \$180.00, is included herein, or |

Information Disclosure Statement
Serial No. 09/841,325
Page 2 of 2

(3) after the mailing date of a final action or notice of allowance but before the payment of the issue fee, AND

the requisite Statement is below, AND

the requisite petition fee under 37 C.F.R. 1.17(p), namely \$180.00 is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page <u>and</u> the Statement is required]:

- 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement; or
- 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R.

 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Date: August 31, 2001 Reg. No. 42,897

Tel. No.: (617) 248-7695 Fax No.: (617) 248-7100

MILSTEIN\6219\15.2167958_1

Respectfully submitted,

Joseph B. Milstein

Atty/Agent for Applicant(s)

Testa, Hurwitz, & Thibeault, LLP

High Street Tower 125 High Street

Boston, Massachusetts 02110



FORM PTO – 1449

INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO.: MDS-009CN (6219/15)

APPLICANT(S): Modell et al.

SERIAL NO.: 09/841,325

FILING DATE: April 24, 2001 GROUP: 3737

U.S. PATENT DOCUMENTS

| EXAM. INIT. | DOCUMENT NUMBER | | DATE NAME | | | CLASS | SUB CLASS | FILING DATE IF APPROPRIATE |
|----------------|--------------------|-----------|-----------|--------------|---------------|-------|--------------|-------------------------------|
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| | A2 | 4,017,192 | 4/12/77 | Rosenthal e | et al | 356 | 201 | |
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| EXAMI | NER | | | | DATE CONSIDER | ED | | |



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ATTORNEY DOCKET NO.: MDS-009CN (6219/15)

APPLICANT(S): Modell et al.

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| | | FILING DATE: April 24, 2001 GROUP: 3737 | | | | | | | | | |
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| EXAM. INIT. | | | | | | | | | ING DATE IF ROPRIATE | | |
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